

09/744804

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: EISENBACK 3

In re Application of:)	Art Unit:
Lea EISENBACK et al.)	Examiner:
I.A. No.: PCT/IL99/00417)	Washington, D.C.
I.A. Filed: 29 July 1999)	January 30, 2001
For: TUMOR ASSOCIATED...)	
)	
)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents and Trademarks
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

B. before the mailing date of a first office action on the merits.

C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary

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certification (box "i" below) or paid the necessary fee (box "ii" below).

[] i. Counsel certifies that, upon information and belief, each item of information listed herein was either

[] (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

[] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this IDS.

[] ii. A check for the fee set forth in §1.17(p), presently believed to be \$240, is enclosed (check no. _____).

[] D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant(s) petitions under 37 CFR §1.97(d) for consideration of this IDS. A check for the fee set forth in §1.17(i), presently believed to be \$130 is enclosed (check no. _____). Counsel certifies that, upon information and belief, each item of information listed herein was either

[] (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

[] (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c)

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more than three months prior to the filing of this IDS.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

[] A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with §1.98(c), only a copy of each of the latter documents is enclosed.

[] B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

Applicant(s) identifies these documents by attaching hereto copies of the forms PTO-1802 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

[X] F. Documents AJ & AK are not in the English language. In accordance with §1.98(c), Applicant(s) states:

[] An English translation of each document _____ (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

[X] A concise explanation of the relevance of documents AJ & AK is found in the attached International search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

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[] A concise explanation of the relevance of document(s) _____ is set forth as follows:

[] A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

[] A concise explanation of document(s) _____ can be found on the attached sheet.

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 11:5 OG 13 at 20).

[] 5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			ATTY DOCKET NO. EISENACH 3		SERIAL NO. 03/744804 NYA Assigned
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)					APPLICANT: Lea EISENACH et al.		
					FILING DATE: Even Date Herewith		GROUP:
U.S. PATENT DOCUMENTS (include at least patentee, patent number, and issue date)							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
FOREIGN PATENT DOCUMENTS (include at least document number, publication date and country)							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AC	98 43084	01 Oct 98	WO			
	AD	94 20127	15 Sept 94	WO			
	AE	97 08318	06 Mar 97	WO			
	AF	95 04548	16 Feb 95	WO			
	AG	97 11715	03 Apr 97	WO			
	AH	97 35021	25 Sept 97	WO			
	AI	95 19783	27 Jul 95	WO			
	AJ	19758400AI	01 Jul 99	GERMANY			
	AK	19516673AI	31 Oct 96	GERMANY			
OTHER DOCUMENTS (include at least document number, publication date and country)							
	AL	WEINSTEIN B: "CHEMISTRY AND BIOCHEMISTRY OF AMINO ACIDS, PEPTIDES AND PROTEINS. PASSAGE" CHEMISTRY AND BIOCHEMISTRY OF AMINO ACIDS, PEPTIDES, AND PROTEINS. XX,XX, vol. 7, pg. 266-357 NP002032461					
	AM						
	AN						
	AO						
	AP						
	AQ						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							